

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

GARETH BENJAMIN, On Behalf of Himself )  
and All Others Similarly Situated, )  
Plaintiff, ) CLASS AND COLLECTIVE ACTION  
v. ) CASE NO. 1:22-CV-00166-TSB  
DJGN LLC d/b/a TONY'S STEAKS & ) JUDGE TIMOTHY S. BLACK  
SEAFOOD, ) JURY DEMAND  
Defendant. )

## **PRELIMINARY CALENDAR ORDER**

Plaintiff Gareth Benjamin, on behalf of himself and all others similarly situated (collectively, “Plaintiffs”) and Defendant DJGN LLC d/b/a Tony’s Steaks & Seafood (“Defendant”) have moved the Court to enter a Preliminary Scheduling Order in order to facilitate an early effort at resolution. For good cause shown, the Parties’ Joint Motion is GRANTED and the following deadlines shall apply:

1. Defendant shall file its Answer on or before July 1, 2022.
  2. The Parties shall file a Joint Status Report notifying the Court of whether or not the parties have reached a settlement on or before July 21, 2022.
  3. In the event the mediation does not result in a settlement, the parties shall confer and file a proposed schedule for the remainder of the litigation on or before July 21, 2022.

It is so ORDERED.

Entered this 22 day of April, 2022.

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*s/Timothy S. Black*  
JUDGE TIMOTHY S. BLACK  
U.S. District Court for the Southern District of Ohio